



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 6869

**\*SB0116606869SR0\***

Offered by:  
SEN. FASANO, 34<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1166

File No. 719

Cal. No. 538

### ***"AN ACT CONCERNING IGNITION INTERLOCK DEVICES."***

1 In lines 17, 37 and 50, bracket "owned or"

2 In line 96, strike "owned or"

3 After the last section, add the following and renumber sections and  
4 internal references accordingly:

5 "Sec. 501. Subsection (j) of section 14-111 of the general statutes is  
6 repealed and the following is substituted in lieu thereof (*Effective*  
7 *October 1, 2013*):

8 (j) Any person whose motor vehicle operator's license is suspended  
9 by the commissioner and whose license is subsequently restricted to  
10 the operation of a motor vehicle that is equipped with an approved,  
11 ignition interlock device who fails to comply with the requirements for  
12 the installation and use of such device in a motor vehicle [owned or]  
13 operated by such person, as set forth in regulations adopted by the  
14 commissioner in accordance with the provisions of subsection (i) of

15 section 14-227a, as amended by this act, shall be subject to the  
16 resuspension of such person's operator's license for such period of  
17 time, not to exceed the period of the original suspension, as the  
18 commissioner may prescribe.

19 Sec. 502. Subsection (i) of section 14-227a of the general statutes is  
20 repealed and the following is substituted in lieu thereof (*Effective*  
21 *October 1, 2013*):

22 (i) (1) The Commissioner of Motor Vehicles shall permit a person  
23 whose license has been suspended in accordance with the provisions  
24 of subparagraph (C) of subdivision (1) or subparagraph (C)(i) or (C)(ii)  
25 of subdivision (2) of subsection (g) of this section to operate a motor  
26 vehicle if (A) such person has served the suspension required under  
27 said subparagraph, notwithstanding that such person has not  
28 completed serving any suspension required under subsection (i) of  
29 section 14-227b, and (B) such person has installed an approved ignition  
30 interlock device in each motor vehicle [owned or] to be operated by  
31 such person, and verifies to the commissioner, in such manner as the  
32 commissioner prescribes, that such device has been installed. For a  
33 period of one year after the installation of an ignition interlock device  
34 by a person who is subject to subparagraph (C)(i) or (C)(ii) of  
35 subdivision (2) of subsection (g) of this section, such person's operation  
36 of a motor vehicle shall be limited to such person's transportation to or  
37 from work or school, an alcohol or drug abuse treatment program or  
38 an ignition interlock device service center. Except as provided in  
39 sections 53a-56b and 53a-60d, no person whose license is suspended by  
40 the commissioner for any other reason shall be eligible to operate a  
41 motor vehicle equipped with an approved ignition interlock device.

42 (2) All costs of installing and maintaining an ignition interlock  
43 device shall be borne by the person required to install such device. No  
44 court sentencing a person convicted of a violation of subsection (a) of  
45 this section may waive any fees or costs associated with the installation  
46 and maintenance of an ignition interlock device.

47 (3) The commissioner shall adopt regulations, in accordance with  
48 the provisions of chapter 54, to implement the provisions of this  
49 subsection. The regulations shall establish procedures for the approval  
50 of ignition interlock devices, for the proper calibration and  
51 maintenance of such devices and for the installation of such devices by  
52 any firm approved and authorized by the commissioner and shall  
53 specify acts by persons required to install and use such devices that  
54 constitute a failure to comply with the requirements for the installation  
55 and use of such devices, the conditions under which such  
56 noncompliance will result in an extension of the period during which  
57 such persons are restricted to the operation of motor vehicles equipped  
58 with such devices and the duration of any such extension. The  
59 commissioner shall ensure that such firm provide notice to both the  
60 commissioner and the Court Support Services Division of the Judicial  
61 Branch whenever a person required to install such device commits a  
62 violation with respect to the installation, maintenance or use of such  
63 device.

64 (4) The provisions of this subsection shall not be construed to  
65 authorize the continued operation of a motor vehicle equipped with an  
66 ignition interlock device by any person whose operator's license or  
67 nonresident operating privilege is withdrawn, suspended or revoked  
68 for any other reason.

69 (5) The provisions of this subsection shall apply to any person  
70 whose license has been suspended in accordance with the provisions  
71 of subparagraph (C) of subdivision (1) or subparagraph (C)(i) or (C)(ii)  
72 of subdivision (2) of subsection (g) of this section on or after January 1,  
73 2012.

74 (6) Whenever a person is permitted by the commissioner under this  
75 subsection to operate a motor vehicle if such person has installed an  
76 approved ignition interlock device in each motor vehicle [owned or] to  
77 be operated by such person, the commissioner shall indicate in the  
78 electronic record maintained by the commissioner pertaining to such  
79 person's operator's license or driving history that such person is

80 restricted to operating a motor vehicle that is equipped with an  
81 ignition interlock device and, if applicable, that such person's  
82 operation of a motor vehicle is limited to such person's transportation  
83 to or from work or school, an alcohol or drug abuse treatment program  
84 or an ignition interlock device service center, and the duration of such  
85 restriction or limitation, and shall ensure that such electronic record is  
86 accessible by law enforcement officers. Any such person shall pay the  
87 commissioner a fee of one hundred dollars prior to the installation of  
88 such device.

89 (7) There is established the ignition interlock administration account  
90 which shall be a separate, nonlapsing account in the General Fund. The  
91 commissioner shall deposit all fees paid pursuant to subdivision (6) of  
92 this subsection in the account. Funds in the account may be used by  
93 the commissioner for the administration of this subsection.

94 (8) Notwithstanding any provision of the general statutes to the  
95 contrary, upon request of any person convicted of a violation of  
96 subsection (a) of this section whose operator's license is under  
97 suspension on January 1, 2012, the Commissioner of Motor Vehicles  
98 may reduce the term of suspension prescribed in subsection (g) of this  
99 section and place a restriction on the operator's license of such person  
100 that restricts the holder of such license to the operation of a motor  
101 vehicle that is equipped with an approved ignition interlock device, as  
102 defined in section 14-227j, for the remainder of such prescribed period  
103 of suspension.

104 (9) Any person required to install an ignition interlock device under  
105 this section shall be supervised by personnel of the Court Support  
106 Services Division of the Judicial Branch while such person is subject to  
107 probation supervision or by personnel of the Department of Motor  
108 Vehicles if such person is not subject to probation supervision, and  
109 such person shall be subject to any other terms and conditions as the  
110 commissioner may prescribe and any provision of the general statutes  
111 or the regulations adopted pursuant to subdivision (3) of this  
112 subsection not inconsistent herewith.

113 (10) Notwithstanding the periods prescribed in subsection (g) of this  
114 section and subdivision (2) of subsection (i) of section 14-111 during  
115 which a person is prohibited from operating a motor vehicle unless  
116 such motor vehicle is equipped with a functioning, approved ignition  
117 interlock device, such periods may be extended in accordance with the  
118 regulations adopted pursuant to subdivision (3) of this subsection."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2013	14-111(j)
Sec. 502	October 1, 2013	14-227a(i)